

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 10th day of August, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 31st day of August, 2010.

*Richard Shaw*

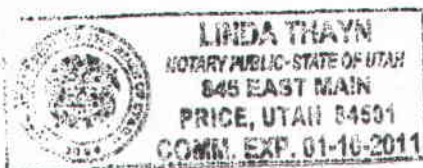
Richard Shaw – Publisher

Subscribed and sworn to before me this 31st day of August, 2010.

*Linda Thayne*

Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 429.12



RECEIVED  
SEP 07 2010

DIV. OF OIL, GAS & MINING

**APPLICATION FOR PHASE II AND III BOND  
RELEASE**

**COTTONWOOD/WILBERG MINE  
COTTONWOOD FAN PORTAL AREA**

**C/015/0019**

**ENERGY WEST MINING COMPANY**

**P.O. BOX 310**

**HUNTINGTON, UTAH 84528**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, has filed with the Division of Oil, Gas and Mining an application for Phase II and III Bond Release for 7.47 acres of the Cottonwood Fan Portal Area of the Cottonwood/Wilberg Mine.

The Cottonwood Fan Portal Area is located in the E1/2 of Section 25, Township 17 South, Range 7 East, SLB&. The surface and subsurface lands are owned and controlled by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints (LDS Church). PacifiCorp is the Lessee of Record for these lands to conduct surface and underground mining activities. Mining activities in this area are no longer being conducted. Total disturbance associated with the Cottonwood Fan Portal site is approximately 7.47 acres.

This portal site was initially disturbed under an exploration permit issued by the State of Utah for determining subsoil engineering design data for a major portal facility. This site included two small soil stockpiles, and a disturbed drainage collection system with two small sedimentation basins at the bottom of the slope. Following updated plans and mining needs, the once proposed fan portal was no longer required. Subsequently, final reclamation of the disturbed area was initiated. Approximately half of the disturbed area was reclaimed in 1981. The remaining portion was completed in November of 1998. The remaining 1.86 acres of disturbed area within the vicinity of the Cottonwood Fan Portal Area includes a soil stockpile area and a sealed portal site [belt and travelway] into the Cottonwood Mine. The sedimentation basins were reclaimed in June of 2002. Phase I bond release was approved on March 16, 2004.

A Surety bond is posted with the Division for the Cottonwood/Wilberg mine in the amount of \$3,252,000.00. PacifiCorp is requesting Phase II and Phase III release of reclamation liability. The incremental bond release that is being requested is \$109,791.00 (2010 dollars).

A copy of the Phase III Bond Release application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Division of Oil, Gas, and Mining address above. Said comments must be submitted thirty (30) days from the date of the last publication of this notice.

This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress August 10, 17, 24, and 31, 2010.